App F IX 4

1927 A

File No 132-27

Previous References (Genl)

Serial Nos

Preserve

Preserve 29/1/42

Later References
Genl 30 28 (1-4)

General and Revenue Secretariat.

Serial Nos one

Part B for Agri 8

SUBJECT

Delegation of Power to District Magistrate to issue licenses in form 4 of Rule 9 of Petroleum Rules to owners of motor Vehicles

D 9912-14 Dr 17 3 27

to District Magistrate

Empowering the District magistrate to issue license, in Form 4 of Rule 9 of Petroleum Rules to owner of motor Vehicles

Karbargya

S.R.S. III—3]

29 27
P

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Please put up the file relating to the passing of the Mysore Petroleum Regulation. A copy of the Select Committee Report was also to be in the file. The Select Committee Praised certain Clauses particularly with regard to the keeping of petrol upto 20 gallons without a licence; but the D.C. reduced the same & stopped the license working. This has led to inconvenience & people complain that to take out a license whenever they buy more than two gallons is a hardship. Hence no petrol out immediately after the Bill was passed but no action taken. It is time that the law be amended in this direction. The file may be put up.

CAC
5/1/27

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—8]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

NB.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Serial No

Flag H in the limited file

8) Kind attention is invited to Secs 5 and 6 of the Mysore Petroleum Regulations

9) Section 5 says that no quantity of dangerous petroleum exceeding 40 gallons can be imported, or transported or kept without a license See 6 similarly provides for quantities below 40 gallons & says that no quantity below 40 gallons can be kept without a license. There is a proviso, however, that when the quantity does not exceed 3 gallons, no license need be taken out

2

10) Thus seen that the two sections overlap In effect they mean that except when the quantity is 3 gallons or less, a license is necessary for importing, transporting or keeping dangerous petroleum The line of demarcation between the two sections is not clear The Select Committee proposes therefore to combine the two Sections into one & also to give a more liberal latitude to persons to keep freely license any quantity not exceeding 20 gallons. They have in view the difficulty that would otherwise present itself to motorists who have more than 3 gallons of petrol at times with them nowhere [illegible] The law would require them to keep it in [illegible] bottles only from

vide S. Report flag J in the limited file

seen the three gallons example

Note Contn. Sheet

Serial No.

When the Select Committee Report was presented to the Legislative Council, the Member-in-Charge, Rajamantra Purna Deva Bahadur P Raghavendra Rao, was unavoidably absent. One of the members of the Council proposed that in Sec 5, the quantity of petroleum for which a license was necessary was reduced to be from 40 gallons & he considered that this Change fettered the liberties of the people At the moment the provision of Sec 6 which required a license for any quantity above 3 gallons, was raised in the absence of the Member in Charge. Mr. S. Casambi explained the reasons for the Change effected by the Select Committee very clearly. The Member who objected still pressed his point & said that if necessary Sec 6 might be deleted If that had been done, the thing would have been perhaps all right, but when finally the motion was put to vote, both the Sections were retained, the members ~~of~~ perhaps not quite taking into account the import of Sec 6, but being obsessed with the idea that the quantity for which a license was necessary had been reduced from 40 to 20 gallons.

As soon as the Regulation was passed, this was pointed

Reg 7

Serial No

Hayes

but it was considered too early to amend a law which had been passed just then

(2) As long as practice, the provisions were not enforced, there was no harm done, but the Director of Industries & Commerce began insisting the necessity for taking out licences when the quantity exceeded 3 gallons. In some districts, this had actually made people take out licences.

(3) The inconveniences arising out of such a provision are apparent — at least in the case of petrol. To any motorists, 3 gallons goes nowhere & if the law is strictly applied, he will have to keep his three gallons in pint bottles & take out a licence when he wants more than 3 gallons at a time. It is time that the law is changed & if possible before the period of the present Council expires. Sections 46 & 47 do not happily work & overlap. They may be combined into one Section & an exception made in the case of petrol at least to the extent of 20 gallons, keeping the limit of 3 gallons in the case of other kinds of dangerous petroleum. If the suggestion finds

Serial No

favour, a draft Bill will be submitted for consideration. It may be passed as an emergent measure, at the next or subsequent meeting of the Legislative Council.

Lt. Col. Secy
2nd Asst. Secy

Lapse

Cag 18/1
8/1/19

Letter brought up 8.9.191

5206 4/9

(4) Please note if the law in the Straits Settlements and if so how this difficulty has been solved there. If not, you may see what lines the law there has been amended.

Very early

8/9
6/9/19

Lapse

(5) Please see the Straits Settlements Act. 55 of 06. There are provisions in that Act to meet cases where the prosecutor is not present when the case is called on. The provisions of section 1 of the Act may perhaps be ascertained.

Lapse
8/9/19

for Secy
Legislative Department

H 4

Home Contp. Dept

Wb 0126—GPS—37,500—1-9-26
App. F III—2]

Serial No

a) The provisions of Sections 5 & 6 in our Regn are similar to Sections 5 & 6 in the Bor Motor Act VIII of 1914

b) The Rules framed under the Regn are also similar Eg Rule 9 in chapter IV and Rule 9 in ch V of the Rules which relate to the licenses issued to owners of motor vehicles The Director P.C may be asked whether any modification in Sections 5 & 6 of this Regn & Rule 9 in ch IV & ch V have in any way been rendered specially with reference to difficulties felt by motor Car Owners.

6/4

a)
Draft Rules
from
8/4/24
to
11/4

b) Issue
11/4

No O 5386 dated 13 4 24
to

The Director of Ind & Commerce Madras attention to the inconvenience caused to motor-lorry owners requiring licenses to

8

General and Revenue Secretariat

File No

of 192

Serial No

to be taken per keeping more than 3 gallons of dangerous Petrol and

then to found and here the offence has been found in this India

No 9 1094- C8 dated 26/24 4 24

From

The Director of I and C

With refer to the enquiry regarding the manner in which the measurement of adhering to the rules limit of 3 gallons is avoided in Br India, forwards copy of letter received from the Chief Inspector of Explosives

Br India & States that the Rules in Br India are the same as in the State & that a provision is stamped on Motor Vehicles licenses permitting the owner to carry 20 gallons in the Car

2) The director I & C suggests that the G of G of India may be authorised by a notification under the Petroleum Rule to permit, in the licenses issued by him, the owners of Motor Vehicles to possess for use upto 20 gallons of Petrol instead

Serial No.

cumbrous obtaining these licences

21) Under Rule 1 of Chapter III of the Rules under the Petroleum Regn pertaining to General Provisions Relating to Licences' Govt may empower the S P of Police to issue such licences

Subd we in reply to para 14 supra

Note 29/4/27

22) Under the Motor Vehicles Regn the Dy SPolice issues only the certificate of Registration of Motor Vehicles & no other licence Perhaps the Director's proposal is that the Dy should be authorised to mention, on the registration certificate, that the vehicles are permitted to carry 20 gals of dangerous petroleum The process under which this can be done seem to be Rule 1 of Chapter III of the Rules issued under the Petroleum Regn under which the licensing authority for the possession or transport of petroleum is the Dy Magte or "Such other the authority as the Govt may appoint Licence for the possession transport of dangerous petroleum in motor vehicles is regulated by Rule 9 of Ch IV of the said rules & the licence in Form F imposes certain conditions

NOTE.—Contn sheet

App. F III—2]

General and Revenue Secretariat.

File No. of 192

Serial No.

23) Who not clear of the permission to possess & transport 20 gals of dangerous petroleum to be granted by the D.S officers in the certificate of registration (if that is what is intended by the Dir) is to be subject to the same or all the conditions contained in licence form F of the idea is to permit 20 gals gallons without any conditions, as in the case of permission of 3 gallons does, then for consideration whether the grant of such permission will be covered by the Petroleum Rules or the rules. On the other hand if the permission to carry 20 gals is subject to the conditions, there will be no advantage to the motor owners except that they will have got the permission along with the certificate of registration without having to apply separately to the Dr Magte

Subd for orders

ADC 9/5

2) The ~~association~~ elected body of Corporations refers to the Rest Conveyance modification. Please obtain a copy of it

16/5

yes vide Rule 4 of the Saving clause. The conditions may be varied

In the Army order of 1917 is not available in the Library enquire. The message is below

[illegible] 7/5/17

[illegible] 19/5

[illegible] 21/5/17

2945/27

App. F III—2]
General and Revenue Secretariat.

File No of 192

Serial No.

25) Send with a copy of the Petroleum Rules received from the Residency

26) 27) Sri Kanta Iyer not having responded to the letter of 21.5.27, a copy of the Petroleum Rules in force in the Civil Station was informally obtained from the Residency office. It is however seen that the Rules do not contain the amendment, Form F and have been made by the Residency notification no 465 dt 7.9.1917. The Head clerk Residents office, will speak to be written to again

Apr 14/28

29/28

30) Draft held the letter may be addressed to the Residency office, and the Head clerk Residency's office informed that Sri Kanta Iyer not now there

Apr 13/28
Apr 14/28

29/28

31) Draft as already submitted

Apr 14/28

Apr 16/28

32) The Registrar, Mysore Residency.
Your letter No 3239 of 26.11.27
Requests him to send

Apr 16/28

Notes—Contn sheet

App. F III—2]

General and Revenue Secretariat.

File No of 192

Serial No.

reference a copy of the Residency notifn
No P 48 of 4th Sept 1917 amending the
form of the Petroleum Rules

From

The Secretary to Govt
No 12888 G 22 12 17

With Refce to the above forwards
a Copy of Govt Order No 488 G 1917
dated 25th ult for

M 22/12

25

35 Submitted for perusal of the Dirs of
the Director of Industries & Commerce
and the enclosure The notification
under which the Ca as Station
Authorities have been instructed
to Cl. 16 (a) (i) of
the licence in Form 7 is also
put up for perusal

36 The proposal of the Director is
to adopt the practice prevailing in
Bombay of endorsing on the
motor car licence an endorse-
ment to the effect "Licensed to
Carry 20 gallons of dangerous
petroleum" &c

Note—Contn sheet

General and Revenue Secretariat | File No | of 192

Serial No

petroleum" and that this may be done by the S.I. of Police If the S.I. of Police is to do it, this is to be done only at the time of the registration of motor vehicles There will not be any difficulty in the case of new cars to be purchased But with regard to cars already purchased & registered and especially those known in the mofussil the owners may find it difficult to go to Bangalore to obtain the licence It is therefore submitted that the District Magistrates in the Districts who are now authorised the licensing authorities under Rule 1 Ch III of the Rules may be empowered to make such endorsements as are being done in Form 6 or a licence in Form 7 may be granted by them subject to the ordinary conditions of inspection etc which are found to be suitable Under Rule 9 Chapter IV the conditions in the licence may be varied

NOTE—Contn s

WD 0884—GPE—60 000—3-8-27.

3119 14

App F III—2]

General and Revenue Secretariat | File No of 192

Serial No

The amendments made in the Conservation rules have been and referred to in the letter of the Inspector of Explosives in which have already been adopted in our rules Please see ~~Rule~~ Conditions 6 & 12 in Form 7

3) The file may now be transferred to the ~~Sta~~ Secretariat for further action

Secy & D)

23/1

Dr Sheet with comps

31/1

3) The Dist Magistrates may be authorised to grant licenses in Form 7 for the sale of the conditions as to inspection

2d Member)

4 2 28

4/2

4) As the position, according to the regulation and the Rules, now stands cases of this kind have to be dealt with under Rule No of Chapter III Rules Nos 9 and 12 of Chapter Iv and Form F A license in Form F is "for the possession of dangerous petroleum for

GEN & REV SECRETARIAT, 6653 4 FEB 1928 DEVELOPMENT BRANCH.

SECRETARIAT COUNCIL 4 FEB. 1928 4330

NOTE—Contn sheet

WD 0814—GPB—60,000—16-8 27

General and Revenue Secretariat I & C File No of 192

Serial No

for use on motor vehicles and for its transport therein for the ~~purpose~~ purpose of use therein" and as will be seen from the Form itself the provision made therein is ~~both~~ for keeping petrol in a storage shed as well as in ~~the~~ a receptacle forming part of a motor vehicle Owners of motor vehicles require permission not only to keep and transport petrol in their vehicles but also to keep a separate store of petrol should they find it necessary to do so Where petrol is kept in a storage shed or in a garage I think it is necessary to enforce the provisions in respect of inspections please see condition 12 of Form F In the case of petrol carried in a receptacle forming part of a motor vehicle inspection does not appear to be necessary, nor does it appear to be insisted upon in the conditions specified in the license form F I do not think any kind of a motor vehicle provides a receptacle to contain more than 12 gallons of petrol If provision is made for the conveyance of this quantity and that in the receptacle meant for it without inspection that is all the convenience which owners of motor vehicles can reasonably require In other cases that is where such owners keep petrol in

NOTE—Contn sheet

WD 0324—3PB—60,000—24-5-27

D6153 3115/8 16

3119 App F III—2]

General and Revenue Secretariat I & C File No of 192

Serial No

in a separate storage shed or garage or carry an additional quantity of petrol in their vehicles, it is ~~only~~ necessary that all the conditions for which provision is made in Form F should be insisted upon In the circumstances what is required is only issue of licenses in Form F on the application of owners of motor vehicles Whether the conditions specified in the form are sufficient to exempt from inspection petrol carried in a receptacle forming part of a motor vehicle or whether a specific condition to this effect is necessary is a point on which the opinion of the Legal Remembrancer may be obtained

40) Legal Remembrancer

Note

41) Condition 13 of the licence issued on Form F refers only to Storage Sheds or other places of storage referred to in clause 1 & has no application to any receptacle forming part of a motor vehicle Hence inspection is confined only to Storage Sheds etc mentioned

NOTE—Contn sheet

WD 0824—GPB—60 000—24-5-21

665 3112/27

App. F III—2]

General and Revenue Secretariat. | File No. of 192

Serial No.

- 1 FEB. 1928 No. 4718

SEC. & REV. SECRETARIAT. 21 FEB. 1928 DEVELOPMENT BRANCH.

In clause 6 which has no reference to receptacle forming part of motor vehicle ~~must~~ not to the ~~bottle~~ receptacle forming part of a motor vehicle.

(a) The answer to Q 6 must therefore be in the affirmative

Yes decl with Compts

2nd Meeting

(3) A common may be addressed to DC Magte inviting their attention to the relevant rules and inviting them to issue Licences in Form F to owners of Motor Vehicles on application — The Dist DC may be informed of the action taken

P.S. (4) Most petrol carried in receptacles attached to Vehicles now is not subject to inspection and that all other petrol kept by owners of Motor Vehicles is subject to inspection under the rules may be made clear to them —

(4) Yes please

NOTE—Contn. sheet

P 6653 2.4.28 P

App P III—2]

General and Revenue Secretariat. Genl File No 132 of 1927

Serial No	
66	Draft is submitted for approval tcr 9/3 Dft for appl Sec'y D) WP 10/3 leave 13 3 28 WP 14/3

To

The District Magistrate.

No D 9912 19 | Genl 132 27 | Dft 3-28

With a view to increase the inconvenience to the owners of motor vehicles consequent on the impossibility to issue licences on Form J (Rule 9 ch IV) and considering that petrol carried as accessories forming part of the Motor Vehicles, need not be inspected and sealed in all other cases the conditions for which provision is made on Form F shd be relaxed upon

Petition Branch for Secy Adam WP 31/3

after perusal

Secy) 31/3

31/3/28 31/3

3rd Member 3/4

CBT 4

3/4

Imp

OFFICE OF THE TOWN CLERK OF CALCUTTA
2 APR. 1928
No 9654

REVD. RECORD BRANCH
11 APR. 1928
DEPARTMENT NUMBER

Note—Contin

WD 6884—3PB—(1,000—8-1-27

6653

[App. F III—2]

General and Revenue Secretariat. Genl File No 132 of 1927

Serial No

This file will be recorded after perusal

Yes
AWP
17/4

Note—Contn. sheet

APP F VI. 61.]

SUBJECT

Diary No. of letter replied to ...

General and Revenue Secretariat
( )
the 192

Date of issue. 19/4/27

Signed by

Section
File No.
Serial No.
No 5388

To
The Director of Civil Supplies
in Burma

Sir,

I am directed to invite reference to your notice dated 15 6 1926 appearing at page 599 of Part IV of the Burma Gazette dated the 26 June 1926, calling the attention of all owners of Motor Cars etc to the necessity of obtaining licenses for keeping with them more than three gallons of dangerous petroleum, as

Rs over

This brought to the notice of Govt that the provisions of Sec 6 of the Petroleum Regulation regarding the taking out of licenses for keeping more than 3 gallons of dangerous petroleum, to which attention of all owners of motor cars was drawn in your notice dt 15 6 26, cause much inconvenience to motorists, and with a view to remove this hardship an amendment of the Petroleum Rules has been suggested for the law in British India in this respect is the same as in Burma Copies of Govt of India Notification No 506 of the Indian Petroleum Act or the rules framed thereunder have in any way been modified to meet the convenience of motor car owners

WD.01265—GPS—31,000—24-12-25

Yours etc.

TELEGRAPHIC ADDRESS

In reply please refer to
N G 1094-85
Exec I

GOVERNMENT OF MYSORE

DEPARTMENT OF INDUSTRIES AND COMMERCE

OFFICE OF THE DIRECTOR

Dated Bangalore the 26th April 1927
27

FROM

C RANGANATHA RAO SAHIB Esq BA BL
Director of Industries and Commerce in Mysore
(Bangalore India)

To

The Secretary to the
Government of Mysore
Law Department Bangalore

SIR,

With reference to your letter No P 5380 Legis dated 13th April 1927 requesting information as to how the hardship caused to owners of Motor Cars in British India by the restriction in regard to the quantity of dangerous petroleum permitted to be carried without license under Section 6 of the Petroleum Regulation is overcome I have the honour to state that the Rules in British India are exactly similar to those in force in the State A copy of a letter received from the Chief Inspector of Explosives in British India in regard to this matter is submitted for the information of Government The Chief Inspector proposes that the quantity of petrol that may be kept without a license may be increased from three to five gallons in the revised Petroleum Act This is however obviously inadequate It is also seen from the letter that in nearly every province 20 gallons of dangerous petroleum and a provision is stamped on motor vehicle licenses permitting the owner to carry 20 gallons of dangerous petroleum in the car

The rules under the Petroleum Regulation no doubt provide for owners of motor vehicles being allowed to possess and carry as much as 60 gallons of petroleum on the authority of the licenses issued in Form F and this license is not renewable annually and may be issued free of charge It is however extremely inconvenient to every motor vehicle owners to have to apply to the District Magistrate or the

Director of Industries for the issue of a license The iss of a license would necessitate the storage shed being inspec by an Officer of the Department In order to obviate a l t difficulties I beg to suggest that the Inspector-General o Police may be authorised by a notification under the Petrole Regulation to permit in the licenses issued by him the own of motor vehicles to possess and carry on the vehicle for t thereon 20 gallons of dangerous petroleum without obtaining other licenses This would bring the procedure in Mysore i line with that now prevalent in British India

I have the honour to b
Sir
Your most obedient serv

C Ranganatha R

Director of Industries
Commerce in Mysore

No P 2 (*8)
Letter/dated 29-9-1928, from the Chief Inspector of Explosives in India, Calcutta, to the Director of Industries and Commerce in Mysore, Bangalore

---

With reference to your letter No M 835/C dated 22nd September 1928, I have the honour to refer you to the proviso to section 6 of the Indian Petroleum Act (Act No VII of 1899) from which it will be seen that the minimum quantity of dargerous petroleum that can be kept or transported without a license is * gallons Owners of motor vehicle however, can possess dargerous petroleum up to 60 gallons for use on motor vehicles and for its transport thereon for the purpose of use therein under a license in Form F which may be granted free of charge vide Rule 9 (1),Chapter IV, Part II of the Petroleum Rules and condition 8 of Form F In this connection attention is invited to condition 8 of Form F as amended by the Mysore Residency Notification No 48 dated 7th September 1917

2 In nearly every province in British India the own of a Motor vehicle is allowed to possess 20 gallons of -ous petroelum The following proviso is stamped on mos motor vehicle licenses I recommend that this proviso be adopted in Mysore also:-

"Licensed to carr 20 gallons of dangerous petr

* In the revised Petroleum Act, I have proposed t minimum quantity of petrol that could be kept without a license be raised to 5 gallons and that all transport licenses be abolished

---

"Copy"

Mx Ramayya
For Director

BV 26 4 27

APP P VI. 61.]

SUBJECT

Section

File No

Serial No.

No. 6024

Diary No of letter replied to

To The Resident's Office

Bangalore Cantonment

General and Revenue Secretariat

( )

the 192

Date of issue. 24/5/27

Signed by

Dear Sir,

I shall be much obliged by your sending me a copy of Resolution no 48 dated 4th September 1914 re the Petroleum Rules as the same regard generally their connection with the question of enforcing the provisions of the Indian Petroleum Act regarding possession of dangerous petroleum

Yours faithfully

List of enclosures.

Copied by

Examined by

WD 01265—GPS—31,000—24-12-25

24/5/27

APP F VI Gl J

SUBJECT

6

Section

File No

Serial No

Diary No of letter replied to

No 0 3239

General and Revenue Secretariat

( )

the 192

To

Date of issue 16/12/27

Signed by

Last of enclosures

Copied by

Examined by

WD 0562 CPB—31 000—17 8 25

3169
P

D O No 12888 2 of

The Mysore Residency,
Bangalore 22nd Decr 1927

Dear Sir,

As desired in your demi-official No P 3239, dated the 16th December 1927, I enclose a copy of the Residency Notification No.48, dated the 7th September 1917

Yours truly,

REGISTRAR

T Singaravelu Mudaliar, Esq , B A , B L ,
Assistant Secretary to the Government of Mysore
General & Revenue Secretariat,
Bangalore

[illegible] THE RESIDENT IN MYSORE

--- 0 ---

N O T I F I C A T I O N

Bangalore, the 7th September 1917

No In exercise of the powers conferred by section 9 of the Indian Petroleum Act, 1899 (VIII of 1899), as applied to the Civil and Military Station of Bangalore, and to the railway lands in Mysore territory over which jurisdiction has been ceded to the British Government, the Hon'ble the Resident in Mysore, with the previous sanction of the Governor General in Council, is pleased to make the following amendment in the rules to regulate the possession and transport of petroleum in the said Civil & Military Station of Bangalore and the said railway lands, which were published in the Notification of this Residency No 52, dated the 19th July 1909

AMENDMENT

(1) The following shall be added to clause 6 of the conditions of the License endorsed on License Form F appended to the said rules -

"When, however, the quantity of dangerous petroleum does not exceed 20 gallons it may be kept in a garage, stable or separate store room not directly communicating with any dwelling room, or room where persons assemble"

(2) In clause 11 of the said conditions, the words, "or other place of storage referred to in clause 6" shall be inserted after the words "storage shed"

E H J JAMES, Major,
for RESIDENT

--- 0 ---

A "COPY"

Δ P F VI GU

SUBJECT.... -- -- ..... -- ... -- ..... -- ....

.. ..

on receipt of applications

Govt. Considers that in the case
of petrol carried in a receptacle
forming part of a Motor Vehicle, inspection
~~does not seem~~ is not necessary ~~to be~~
~~to be inserted upon~~ In other cases,
where owners keep petrol in a Separate
Storage Shed or garage or carry an abnormal
Quantity of petrol in their vehicles it is
necessary that all the conditions for which
sanction is made in Form 7, should be
inserted upon

I have the

13 3 28

WB
10/3

Memo No. D 9920

for secy to Govt
Develpt

13/3/28

Copy of this about is forwarded with
compliments to the Dy Insp

WB
10/3